

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

Court Minutes and Order

DATE: January 24, 2018
JUDGE: Pamela Pepper
CASE NO: 2016-cr-21
CASE NAME: United States of America v. Samy Hamzeh
NATURE OF HEARING: Status Conference
APPEARANCES: Greg Haanstad – Attorney for the government
Paul Kanter – Attorney for the government
Craig Albee – Attorney for the defendant
Joseph Bugni – Attorney for the defendant
Samy Hamzeh – Defendant
COURTROOM DEPUTY: Kristine Wrobel
TIME: 9:05 a.m. – 9:27 a.m.
HEARING: Status set for March 21, 2018 at 12:30 p.m. by telephone
Trial set for June 18, 2018 at 8:30 a.m. in Room 222

The court noted that originally, it scheduled this hearing as a final pretrial conference ahead of the February 12, 2018 trial date. The defendant, however, had filed an unopposed motion asking the court to remove that trial date from the calendar, and to convert this hearing to a status conference. The motion indicated that the comparisons of the defendant's translations of the recorded conversations (which were in Arabic) with the government's translations was turning out to be more cumbersome than the parties had anticipated. At today's hearing, the court noted that there were two defense motions pending before Judge Duffin—a motion for turnover of Brady material and a motion to dismiss Count Two. The court also explained that, while it had sent out a pretrial order setting deadlines for the parties to file witness lists, exhibit lists and other trial documents, it would set new deadlines once it set a new trial date.

Counsel for the defendant reported that yesterday, he had spoken with the government regarding his concerns about the transcripts. He told the court that the government had agreed to make the necessary corrections and clarifications, but that it was a time-consuming process. Counsel also explained that the government needed to turn over some documents that needed declassification; it was counsel's understanding that that could take six to eight weeks. Counsel told the court that the defendant was very concerned about how much time the case was taking to get to trial, given that he was in custody. He proposed that the court schedule a status conference in March, but also that it go ahead and set a tentative trial date today. Counsel stated that he anticipated that at the March status, the parties would be in a better position to let the court know if the tentative trial date was workable. Counsel proposed late May or early June for the trial.

Counsel for the government agreed with defense counsel's recitation, and suggested that setting a status conference the week of March 19 would allow the parties to have a better sense of the likelihood of going to trial on the tentative trial date. Counsel told the court that he believed the government would be ready for trial by the beginning of June.

The parties agreed that their original estimate of a two-week trial still was accurate.

After reviewing its calendar and the parties' calendars, the court scheduled the trial for June 18, 2018 at 8:30 a.m. The court scheduled a status conference for March 21, 2018 at 12:30 p.m. by telephone. Parties wishing to appear by phone may do so by calling the court's conference line at 888-557-8511 and using the access code 4893665#.

The court **ORDERS** that the time between January 24, 2018 and March 21, 2018 is **EXCLUDED** from the computation of the Speedy Trial deadline pursuant to 18 U.S.C. §3161(h)(7)(B)(iv), because the ends of justice outweigh the speedy trial interests, and because failure to do so would unreasonably deny the parties the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Dated in Milwaukee Wisconsin this 24th day of January, 2018.

BY THE COURT:


HON. PAMELA PEPPER
United States District Judge